

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Judiciary, to which was referred Senate Bill No. 232, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 3, between lines 1 and 2, begin a new paragraph and insert:
- 2 **"(b) A person scheduled to appear for jury service has the right**
- 3 **to defer the date of the person's initial appearance for jury service**
- 4 **one (1) time upon a showing of hardship, extreme inconvenience,**
- 5 **or necessity. The court shall grant a prospective juror's request for**
- 6 **deferral if the following conditions are met:**
- 7 **(1) The prospective juror has not previously been granted a**
- 8 **deferral.**
- 9 **(2) The prospective juror requests a deferral by contacting the**
- 10 **jury commissioner:**
- 11 **(A) by telephone;**
- 12 **(B) by electronic mail;**
- 13 **(C) in writing; or**
- 14 **(D) in person.**
- 15 **(3) The prospective juror selects another date on which the**
- 16 **prospective juror will appear for jury service that is:**
- 17 **(A) not more than one (1) year after the date upon which**
- 18 **the prospective juror was originally scheduled to appear;**
- 19 **and**
- 20 **(B) a date when the court will be in session.**
- 21 **(4) The court determines that the prospective juror has**

1 **demonstrated that a deferral is necessary due to:**
2 **(A) hardship;**
3 **(B) extreme inconvenience; or**
4 **(C) necessity."**
5 Page 3, line 2, reset in roman "(c)".
6 Page 3, line 2, delete "(b)".
7 Page 3, line 7, reset in roman "(d)".
8 Page 3, line 7, delete "(c)".
9 Page 3, line 10, reset in roman "(e)".
10 Page 3, line 10, delete "(d)".
11 Page 3, line 12, reset in roman "(f)".
12 Page 3, line 12, delete "(e)".
13 Page 3, line 14, reset in roman "(g)".
14 Page 3, line 14, delete "(f)".
15 Page 3, line 16, delete "(g)".
16 Page 3, line 16, reset in roman "(i)".
17 Page 3, line 16, reset in roman "(l)".
18 Page 3, line 16, delete "(k)".
19 Page 3, line 23, reset in roman "(h)".
20 Page 3, line 23, delete "(g)".
21 Page 4, line 1, reset in roman "(i)".
22 Page 4, line 1, delete "(h)".
23 Page 4, line 3, reset in roman "(i)".
24 Page 4, line 3, delete "(h)".
25 Page 4, line 5, reset in roman "(j)".
26 Page 4, line 5, delete "(i)".
27 Page 4, line 8, reset in roman "(k)".
28 Page 4, line 8, delete "(j)".
29 Page 4, line 9, reset in roman "(h)".
30 Page 4, line 9, delete "(g)".
31 Page 4, line 11, reset in roman "(l)".
32 Page 4, line 11, delete "(k)".
33 Page 4, line 29, after "annual" delete ", ".
34 Page 4, line 29, after "vacation" delete ", ".
35 Page 4, line 33, after "annual" delete ", ".
36 Page 4, line 34, after "vacation" delete ", ".
37 Page 4, between lines 35 and 36, begin a new paragraph and insert:
38 "SECTION 4. IC 33-28-5-18 IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 18. (a) The supervising judge or the jury commissioner shall determine solely on the basis of information provided on a juror qualification form or interview with a prospective juror whether the prospective juror is disqualified for jury service. The jury commissioner shall enter this determination in the space provided on the juror qualification form or electronic data processing facsimile and on the alphabetical list of names drawn from the master list.

(b) A person may not be automatically excused under this chapter. Upon request of a prospective juror, the supervising judge or jury commissioner shall determine on the basis of information provided on:

- (1) the juror qualification form;
- (2) correspondence from the prospective juror; or
- (3) an interview with the prospective juror;

whether the prospective juror may be excused from jury service. The jury commissioner shall enter this determination in the space provided on the juror qualification form.

(c) A person who is not disqualified for jury service may be excused from jury service only ~~upon a showing of:~~

- ~~(1) undue hardship;~~
- ~~(2) extreme inconvenience; or~~
- ~~(3) public necessity;~~

~~until the time of the next drawing when the person is resummoned. Appropriate records must be maintained by the jury commissioner to facilitate resummoning. in accordance with IC 33-28-4-8.~~

(d) Requests for excuse, other than those accompanying the return of the qualification form, must be made by the prospective juror in writing to the jury commissioner not later than three (3) days before the date when the prospective juror has been summoned to appear."

Page 5, line 5, after "annual" delete ",."

Page 5, line 5, after "vacation" delete ",."

Page 5, line 9, after "annual" delete ",."

Page 5, line 10, after "vacation" delete ",."

Page 6, line 32, strike "only upon a showing".

Page 6, line 33, strike "of undue hardship, extreme inconvenience, or public necessity."

Page 6, line 35, before "The" insert "**in accordance with IC 33-28-4-8.**".

- 1 Page 7, line 13, after "annual" delete ",".
- 2 Page 7, line 13, after "vacation" delete ",".
- 3 Page 7, line 17, after "annual" delete ",".
- 4 Page 7, line 18, after "vacation" delete ",".
- 5 Renumber all SECTIONS consecutively.
(Reference is to SB 232 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

Bray

Chairperson